

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALESSANDRO-ROBERTO
MARINELLO,

Plaintiff,

v.

Case No. 2:23-cv-12871
Hon. Brandy R. McMillion
Mag. Judge Elizabeth A. Stafford

TRANSUNION, LLC,

Defendant.

_____/

**ORDER ADOPTING RECOMMENDED DISPOSITION
OF REPORT AND RECOMMENDATION (ECF No. 25) AND
GRANTING DEFENDANT’S MOTION TO DISMISS (ECF No. 17)**

Plaintiff Alessandro-Roberto Marinello (“Marinello”) brings this *pro se* action against Defendant TransUnion, LLC (“TransUnion”) alleging violations of the Fair Credit Reporting Act (“FCRA”). *See* ECF No. 1. He asserts that TransUnion has violated his privacy rights and committed identity theft by compiling credit reports on him without his consent. *Id.* at PageID.5. In addition, he claims derogatory items on his credit report have resulted in denials of credit. *Id.* Marinello’s complaint alleges violations of various provisions of 15 U.S.C. § 1681 and seeks statutory and actual damages. *Id.* at PageID.5-6.

On November 15, 2023, the Honorable Paul D. Borman referred all pretrial matters in this case to Magistrate Judge Elizabeth A. Stafford. ECF No. 6. On

January 12, 2024, TransUnion moved to dismiss the case. ECF No. 17. Marinello did not respond to the motion despite orders to do so and being granted an extension of time in which to file a response. ECF No. 18, 22, 23.

On April 2, 2024, this case was reassigned from Judge Borman to the undersigned. The Court then re-referred all pretrial matters to the Magistrate Judge, including the Motion to Dismiss. ECF No. 24. On July 3, 2024, in a Report and Recommendation (“R&R”), the Magistrate Judge recommended that the Court grant TransUnion’s Motion to Dismiss. ECF No. 25. At the end of the R&R, the Magistrate Judge advised the parties that to seek review of her recommendation, they had to file specific objections with the Court within 14 days of service of the R&R. *Id.* at PageID.138-39.

As of the date of this order, July 23, 2024—20 days since the Magistrate Judge filed the R&R—neither party has filed objections to the R&R or contacted the Court to ask for more time to file objections. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also Ivey v. Wilson*, 832 F.2d 950, 957-58 (6th Cir. 1987) (explaining that a party’s failure to timely object to a report and recommendation allows a court to accept the recommendation “without expressing any views on the merits of the magistrate’s conclusions”). Similarly, failure to object to an R&R forfeits any further right to appeal. *See Berkshire v. Dahl*, 928 F.3d 520, 530 (6th

Cir. 2019) (recognizing that a party forfeits their right to appeal by failing to timely file objections to an R&R).

Accordingly, because neither party objected to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommended disposition of Defendant's motion (ECF No. 25) is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss (ECF No. 17) is **GRANTED**. Consequently, Plaintiff's Complaint (ECF No. 1) is **DISMISSED WITH PREJUDICE**.

This is a final order that closes the case.

IT IS SO ORDERED.

Dated: July 23, 2024

s/Brandy R. McMillion
Hon. Brandy R. McMillion
United States District Judge